

It is so ORDERED.

s/John R. Adams

U.S. District Judge

8/15/05

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	CASE NO. 1:04CR367-01
	)	
Plaintiff,	)	JUDGE JOHN R. ADAMS
	)	
v.	)	
	)	SUGGESTION OF DEATH
PAUL A. RENDINA,	)	<u>OF PAUL A. RENDINA</u>
	)	
Defendant.	)	

The United States of America, by and through its undersigned counsel, hereby suggests for the record the death of defendant Paul A. Rendina on May 1, 2005. Defendant pleaded guilty to the superseding indictment in this case on April 21, 2005, and was awaiting sentencing at the time of his death. Submitted herewith is a copy of the certificate of death.

The death of a defendant abates all proceedings with respect to said defendant. With the filing of the death certificate, dismissal of the indictment as to the deceased defendant is appropriate. See United States v. Toney, 527 F.2d 716, 720 (6th Cir. 1975), cert. denied, 429 U.S. 838 (1976); United States v. Perry, 100 Fed. Appx. 546 (6th Cir. June 14, 2004).

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Accordingly, it is requested that the superseding indictment as to defendant Paul A. Rendina be dismissed. The proceedings in this case with respect to co-defendant Janet M. Rendina remain pending.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this 9th day of August 2005, a copy of the foregoing Suggestion of Death of Paul A. Rendina was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Michael Anne Johnson  
Michael Anne Johnson  
Assistant U. S. Attorney